

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Melvin Wayne Moye**

**Docket No. 4:11-CR-59-2H**

**Petition for Action on Supervised Release**

COMES NOW Tuell Waters, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Melvin Wayne Moye, who, upon an earlier plea of guilty to Distribution of a Quantity of Cocaine Base (Crack) and Aiding and Abetting in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on February 14, 2012, to the custody of the Bureau of Prisons for a term of 100 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years. On July 8, 2015, the sentence was reduced to 83 months pursuant to 18 U.S.C. § 3582(c)(2).

Melvin Wayne Moye was released from custody on January 12, 2017, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On June 2, 2017, the defendant was charged in Greene County, North Carolina, for Driving While License Revoked and Speeding (17CR50320). Moye was verbally reprimanded by the probation officer and a violation report was submitted with no further action taken by the court. On June 17, 2017, the defendant was charged in Wayne County, North Carolina, with Driving While License Revoked and Expired Registration Card/Tag (17CR705514). Both matters remain pending in the respective local courts. In view of these circumstances, it is respectfully recommended that the conditions of supervision be modified to add a 2-day jail sanction. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Tuell Waters  
Tuell Waters  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: 252-830-2344  
Executed On: July 7, 2017

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**ORDER OF THE COURT**

Considered and ordered this 10th day of July 2017, and ordered filed and made a part of the records in the above case.

  
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Malcolm J. Howard  
Senior U.S. District Judge